IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2068 OF 2007

Sunil Raghunath Shetty ..Applicant

V/s.

The State of Maharashtra ..Respondent

Ms.Anjali Patil, advocate for the applicant
Ms.M.H.Mhatre, APP for the State

CORAM : V.C.DAGA, J.

DATE : 11TH JULY, 2007

P.C.

1. Heard learned counsel for the applicant and learned APP for the State.

2. Perused application.

3. This Court, while disposing of Criminal Bail Application No.1020 of 2007 in Session Case No.662 of 2005, refused to grant bail at that stage and observed that it would be open for the applicant to prefer a fresh application in case the trial is not

concluded by 30th June, 2007. The learned counsel for the applicant submits that the trial is yet to be completed though, some of the witnesses are already examined. The learned counsel for the applicant further submits that possibility of tampering prosecution evidence which in the form of documentary evidence is absolutely nil. She relied upon Judgment of the Apex Court in the case of **Mehmood Mohammed Sayeed v. State of Maharashtra, reported in AIR 2002 SUPREME COURT 482** wherein the Apex Court observed as under :-

> 1.Though learned Counsel for the state of Maharashtra opposed appellant to be released on bail we have taken note of the fact that appellant is remaining in custody from 18-1-2000 onwards. The offences alleged against him include Sections 463, 467, 461, 419 read with Section 120 of the Indian Penal Code. Investigation is completed and the charge-sheet has been laid. What remains is only the trial. We do not know how long the trial will take particularly, seeing the condition of the trial Courts in Maharashtra.
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> 2.When learned Counsel for the State noticed that we are disposed to release the appellant on bail he alternatively pleaded that stringent conditions may be imposed on him

because of the allegations that he has some links with the international terrorists gang. We, therefore, impose the following conditions on him.

4. In view of the above observations, I am inclined to grant bail to the applicant.

(a) The applicant be released in the sum of Rs.50,000/- with one or two sureties in the like amount with a condition that he shall attend the Court regularly and shall not contact prosecution witnesses and shall not pressurise them.

(b) With this condition the application is disposed of with no order as to cost.

(V.C.DAGA, J.)